

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**JOHN MAHONEY**

*on behalf of himself and all others  
similarly situated*

**Plaintiff,**

**v.**

**PMC PROPERTY GROUP, INC.**

**Defendant.**

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**CIVIL ACTION**

**No. 23-cv-01666**

**ORDER**

**AND NOW**, this **5th** day of **October 2023**, upon consideration of the September 28, 2023 letter from counsel for Defendant PMC Property Group, Inc. (ECF 12), the parties' proposed Consent Decree (ECF 13), the pleadings, law, and underlying facts in this Action and the Court's findings set forth below, it is **ORDERED** that:

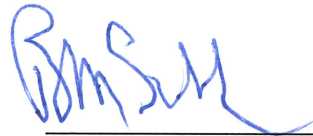
1. The Court has jurisdiction over the Action under 28 U.S.C. § 1331 and 42 U.S.C. § 12188;
2. The Court dismissed the Action with prejudice by Order dated August 21, 2023. (ECF 11.) Pursuant to Local Rule of Civil Procedure 41.1(b), the Court may vacate that Order for good cause shown, upon the application of any party, served within ninety days of the entry of the dismissal order. The Court construes counsel's September 28, 2023 letter (ECF 12) as such a timely application, and the agreement of the Parties as such good cause shown. The Court therefore **VACATES** the Order at ECF 11;
3. The provisions of the Consent Decree, which resolves, settles, and compromises all issues between the Parties in the Action, shall be binding upon the Parties.
4. The Consent Decree is for settlement purposes only and does not constitute an admission by Defendant PMC Property Group, Inc. of any of the allegations contained in the Complaint or any other pleading in this Action, nor does it constitute a finding of liability against Defendant;
5. The Court's jurisdiction over this matter shall continue for 36 months; and
6. This Consent Decree shall be deemed as adjudicating the merits of each and every claim, matter, and issue that was alleged, or could have been alleged by Plaintiff John Mahoney in the Action based on, arising out of, or in connection with the allegations in the Complaint.

**NOW THEREFORE**, the Court approves the Consent Decree (ECF 13) and, in doing so, specifically adopts it and makes it an Order of the Court.

This case shall remain **CLOSED**.

**SO ORDERED.**

**BY THE COURT:**

A handwritten signature in blue ink, appearing to read "BMS", is written over a horizontal line.

**Berle M. Schiller, J.**